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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,075	06/06/2001	Hiroshi Endo	9976-9US (OB0025US)	6219

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EXAMINER	
LESNIEWSKI, VICTOR D	
ART UNIT	**PAPER NUMBER**
2152	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/875,075	ENDO, HIROSHI	
	Examiner	Art Unit	
	Victor Lesniewski	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 December 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *29-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *29-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed 12/21/2006 has been placed of record in the file.

2. Claims 29 and 34-36 have been amended.

3. The objection to claims 35 and 36 is withdrawn in view of the amendment.

4. Claims 37-49 have been added.

5. Claims 29-49 are now pending.

6. The applicant's arguments with respect to claims 29-49 have been considered but are moot in view of the following new grounds of rejection.

Continued Examination Under 37 CFR 1.114

7. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. The applicant's submission filed on 12/21/2006 has been entered.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 29-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiyama et al. (U.S. Patent Number 6,674,541), hereinafter referred to as Kamiyama, in view of Pearce et al. (U.S. Patent Number 7,145,899), hereinafter referred to as Pearce.

10. Kamiyama disclosed a method for transmitting facsimile data between facsimile devices via an Internet protocol network that uses IP addresses corresponding to telephone numbers of the facsimile devices. In an analogous art, Pearce disclosed a method for routing call data or fax data through a packet-based network by using a number of call managers that control the telephony devices of the network.

11. Concerning claims 29, 35, 37, and 38, Kamiyama did not explicitly state two separate categories of telephone numbers. Since Kamiyama does teach an address translation table, it would be a clear extension of his system to provide a separate table with the same functionality for any separate category of telephone numbers. Furthermore, Pearce does explicitly disclose two separate categories of telephone numbers as his system utilizes digit analysis that distinguishes between internal telephone numbers and external telephone numbers. Although Pearce only teaches one registration information table, he does distinguish between the two categories of numbers (see Pearce, column 7, lines 36-54) so it would be a clear extension of his system to provide a separate table with the same functionality for any separate category of telephone numbers. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Kamiyama by adding the ability to utilize two separate categories of telephone numbers as provided by Pearce. Here the combination satisfies the need for a system that transmits facsimile data between facsimile apparatuses which can improve transmission quality of the facsimile data on an IP network. See Kamiyama, column 1,

lines 40-47. This rationale also applies to those dependent claims utilizing the same combination.

12. Concerning claims 33 and 39, the combination of Kamiyama and Pearce did not explicitly state storing the address translation table / registration information table in the facsimile device or moving the functionality of the table from a gateway / call manager type device to the facsimile device itself. However, this type of distribution of network services in a communications network was well known in the art at the time of the applicant's invention. It was known that various services or processes could be accomplished by various devices in the network or distributed across various devices in the network without changing the overall functionality or purpose of the network itself. Furthermore, Pearce suggests as much. See Pearce, column 17, lines 44-51. Thus, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Kamiyama and Pearce by storing the address translation table / registration information table in the facsimile device or by otherwise moving the functionality of the table from the gateway / call manager type device to the facsimile device itself.

13. Concerning claims 36, 40, and 43, the combination of Kamiyama and Pearce did not explicitly state transmitting the image through a telephone network. However, this functionality was old in the art as Kamiyama and Pearce both teach advancements over the telephone network by using an IP network. For example see Pearce, column 1, lines 36-39. Thus, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Kamiyama and Pearce by simply transmitting the image through a telephone network.

14. Concerning claims 44 and 45, the combination of Kamiyama and Pearce did not explicitly state designating priority for the different types of transmission of the image. However, controlling what data should be sent over what network was well known to one of ordinary skill in the art. One of ordinary skill would have readily realized the need to determine what data should be sent in what way when there are different transmission types and would have been able to designate priority for different transmission types or different data. One of ordinary skill in the art would have readily taken such steps in view of different qualities of transmission, different traffic loads, etc. on the different networks. For example see Kamiyama, column 1, lines 40-47. Thus, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Kamiyama and Pearce by designating priority for the different types of transmission of the image.

15. Thereby, the combination of Kamiyama and Pearce discloses:

- <Claim 29>

  An image communication system comprising: a plurality of image communications apparatuses, each of which possessing a telephone number belonging to a first category of telephone numbers, a telephone number belonging to a second category of telephone numbers and a corresponding network address (Kamiyama, figure 1, items 1-31, 1-32, 1-41, 1-42); a first address supplying device storing telephone numbers belonging to the first category of telephone numbers, the corresponding network address of each one of the plurality of image communications apparatuses and a relationship between each one the telephone numbers belonging to the first category of telephone numbers and each one of the corresponding network addresses (Kamiyama, figure 1, item 1-4 and column 5,

lines 20-23, and Pearce, column 6, lines 39-61); a second address supplying device storing telephone numbers belonging to the second category of telephone numbers, the corresponding network address of each one of the plurality of image communications apparatuses and a relationship between each one of the telephone numbers belonging to the second category of telephone numbers and each one of the corresponding network addresses (Kamiyama, figure 1, item 1-4 and column 5, lines 20-23, and Pearce, column 6, lines 39-61); and a judging section included in each of the plurality image communications apparatuses, said judging section included in one of the plurality of image communications apparatuses: (1) determining whether a telephone number input to the one of the plurality of image communications apparatuses belongs to the first category of telephone numbers or to the second category of telephone numbers, and (2) if the input telephone number belongs to the first category of telephone numbers, directing the input telephone number to the first address supplying device and (3) if the input telephone number belongs to the second address supplying device, directing the input telephone number to the second address supplying device (Pearce, figure 2, item 104), said first address supplying device providing the corresponding network address of the input telephone number to the one of the plurality of image communication apparatuses if the input telephone number belongs to the first category of telephone numbers, and said second address supplying device providing the corresponding network address of the input telephone number to the one of the plurality of image communication apparatuses if the input telephone number belongs to the second category of telephone numbers (Kamiyama, column 2, lines 34-43 and Pearce, column 6, lines 39-61).

- <Claim 30>

  The image communication system of claim 29, wherein each of the plurality of image communications apparatuses, the first address supplying device and the second address supplying device are operably connected together by a computer network (Kamiyama, figure 1).

- <Claim 31>

  The image communications system of claim 29, wherein each of the plurality of image communications apparatuses are connected to an outside telephone network and possess an outside telephone number for communication therethrough (Pearce, figure 1, item 20B).

- <Claim 32>

  The image communications system of claim 29, wherein each of the plurality of image communications apparatuses are connected to an inside telephone network and possess an inside telephone number for communication therethrough (Pearce, figure 1, item 20A).

- <Claim 33>

  The image communications system of claim 29, wherein the function of at least one of the first address supplying device and the second address supplying device is incorporated in at least one of the plurality of image communications apparatuses (obviousness as discussed in paragraph 12 above).

- <Claim 34>

  The image communications system of claim 29, wherein the first category of telephone numbers corresponds to outside telephone numbers and the second category of telephone numbers corresponds to inside telephone numbers (Pearce, column 7, lines 40-43).

- <Claim 35>

  A method of transmitting images between a plurality of image communications apparatuses, each of the plurality of image communications apparatuses possessing a telephone number belonging to a first category of telephone numbers, a telephone number belonging to a second category of telephone numbers and a corresponding network address (Kamiyama, figure 1, items 1-31, 1-32, 1-41, 1-42), the method comprising the steps of: receiving in a first one of the plurality communication apparatuses a telephone number of a second one of the plurality of image communication apparatuses (Kamiyama, column 2, lines 34-43); judging within said first one of the communication apparatuses whether said received telephone number corresponds to the first category of telephone numbers or to the second category of telephone numbers (Pearce, figure 2, item 104); attempting to acquire the network address corresponding to the telephone number of the second one of the image communication apparatuses if said telephone number is determined to belong to the first category of telephone numbers by referring to a first table storing the corresponding network address of each one of the plurality of image communications apparatuses and a relationship between each one of the telephone numbers belonging to the first category of telephone numbers and each one of the corresponding network addresses (Kamiyama, figure 1, item 1-4 and column 5,

lines 20-23, and Pearce, column 6, lines 39-61); attempting to acquire the network address corresponding to the telephone number of the second one of the image communication apparatuses if said telephone number is determined to belong to the second category of telephone numbers by referring to a second table storing the corresponding network address of each one of the plurality of image communications apparatuses and a relationship between each one of the telephone numbers belonging to the second category of telephone numbers and each one of the corresponding network addresses (Kamiyama, figure 1, item 1-4 and column 5, lines 20-23, and Pearce, column 6, lines 39-61); and transmitting said image to said second image communication apparatus via the computer network based on the acquired network address if the network address is acquired (Kamiyama, abstract).

- <Claim 36>

  The image communication method according to Claim 35, further comprising the step of: transmitting said image from said first image communication apparatus to said second image communication apparatus through one of a first telephone network and a second telephone network if said network address is not acquired (obviousness as discussed in paragraph 13 above).

- <Claim 37>

  An image communication system for performing an image communication via an Internet Protocol (IP) network, comprising: a first image communication apparatus for transmitting an image (Kamiyama, figure 1, items 1-31, 1-41); a second image communication apparatus which is used for receiving said image, and is assigned an

outside telephone number used in an outside telephone line communication system, an inside telephone number used in an inside telephone line communication system and an IP address for said image communication via said IP network (Kamiyama, figure 1, items 1-32, 1-42); a first address supplying device which stores a corresponding relation between said outside telephone number and said IP address (Kamiyama, figure 1, item 1-4 and column 5, lines 20-23, and Pearce, column 6, lines 39-61); and a second address supplying device stores a corresponding relation between said inside telephone number and said same IP address (Kamiyama, figure 1, item 1-4 and column 5, lines 20-23, and Pearce, column 6, lines 39-61), wherein said first image communication apparatus includes: an inputting section to input a number for transmitting an image to said second image communication apparatus (Kamiyama, figure 1, items 1-31, 1-41); a judging section to judge said inputted number is which of said outside telephone number and said inside telephone number of said second image communication apparatus (Pearce, figure 2, item 104); an IP address obtaining section which, if said inputted number is said outside telephone number, connects to said first address supplying device via said IP network to obtain said IP address based on said outside telephone number; and which, if said inputted number is said inside telephone number, connects to said second address supplying device via said IP network to obtain said IP address based on said inside telephone number (Kamiyama, figure 1, item 1-4 and column 5, lines 20-23, and Pearce, column 6, lines 39-61); and an image transmitting section which, on the basis of said obtained IP address, transmits said image to said second image communication apparatus via said IP network (Kamiyama, abstract).

- <Claim 38>

An image communication apparatus for an image communication network system which includes a computer network enabled to transmit and receive an image on the basis of a network address (Kamiyama, figure 1, Internet Protocol Network); a first category telephone line enabled to transmit and receive said image on the basis of a first category telephone number (Pearce, figure 1, item 20A); a second category telephone line enabled to transmit and receive said image on the basis of a second category telephone number (Pearce, figure 1, item 20B); a first address supplying device which is connected with said computer network, and which stores said first category telephone number and said network address corresponding to said first category telephone number through a first setting a relation (Kamiyama, figure 1, item 1-4 and column 5, lines 20-23, and Pearce, column 6, lines 39-61) and a second address supplying device which is connected with said computer network, and which stores said second category telephone number and said network address corresponding to said second category telephone number through a second setting a relation (Kamiyama, figure 1, item 1-4 and column 5, lines 20-23, and Pearce, column 6, lines 39-61), said apparatus comprising: an inputting section into which a number corresponding to one of said first category telephone number and said second category telephone number that are assigned to another image communication apparatus to receiving said image is input (Kamiyama, figure 1, items 1-31, 1-41); a judging section to judge whether the input number inputted into said inputting section belongs to said first category telephone number or to said second category telephone number (Pearce, figure 2, item 104); a number transmitting section which, if said input

number is judged being said first category telephone number by said judging section, transmits said input number to said first address supplying device; and if said input number is judged to be said second category telephone number by said judging section, transmits said input number to said second address supplying device (Pearce, figure 2, item 104); an address receiving section to receive said network address supplied from one of said first address supplying device and said second address supplying device in response to said input number transmitted from said number transmitting section (Kamiyama, figure 1, item 1-4 and column 5, lines 20-23, and Pearce, column 6, lines 39-61); and an image transmitting section to transmit said image to said another image communication apparatus via said computer network by making said network address received by said address receiving section serve as a transmitting address (Kamiyama, abstract).

- <Claim 39>

  The image communication apparatus according to Claim 38, wherein said image communication apparatus is provided with said first address supplying device and said second address supplying device as function sections of said image communication apparatus (obviousness as discussed in paragraph 12 above).

- <Claim 40>

  The image communication apparatus according to Claim 39, further comprising a second image transmitting section to transmit images to said another image communication apparatus through one of said first telephone network for use with said first telephone

number and through said second telephone network for use with second telephone number (obviousness as discussed in paragraph 13 above).

- <Claim 41>

  The image communication apparatus according to Claim 40, further comprising a signal receiving section to receive, when said second image transmitting section transmits a first image, using either of said first telephone number or said second telephone number, to said another image communication apparatus through either of said telephone network for use in said first telephone number or said telephone network for use in second telephone number, a signal containing a computer address provided to said image communication apparatus on a receiver side which is returned, in response to said transmitting of said image, from said another image communication apparatus and wherein said first image transmitting section is adapted to transmit a second image contained in said signal received by said signal receiving section, based on said computer address of said another image communication apparatus, to said another image communication apparatus through said computer network (Pearce, column 6, lines 4-24).

- <Claim 42>

  The image communication apparatus according to Claim 41, further comprising a storage section to store correspondence between said telephone number used by said image transmitting section when said first image is transmitted and received through either of said telephone network for use in said first telephone number or said telephone network for use in said second telephone number and said network address of said another image

communication apparatus received by said signal receiving section when said first image is received (Pearce, column 6, lines 12-15).

- <Claim 43>

  The image communication apparatus according to Claim 40, wherein said second image transmitting section, when said first image transmitting section fails to transmit said image based on said computer address through said computer network, transmits said image using either of said first telephone number or said second telephone number through either of said telephone network for use in said first telephone number or said telephone network for use in said second telephone number (obviousness as discussed in paragraph 13 above).

- <Claim 44>

  The image communication apparatus according to Claim 40, further comprising an operation section to designate to whether priority is given to transmission by said first image transmitting section through said computer network or to transmission by said second image transmitting section through said telephone network (obviousness as discussed in paragraph 14 above).

- <Claim 45>

  The image communication apparatus according to Claim 44, wherein said operation section, when said first image transmitting section fails to transmit said image through said computer network, designates whether said image is to be transmitted by said second image transmitting section through said telephone network (obviousness as discussed in paragraph 14 above).

- <Claim 46>

  The image communication apparatus according to 38, wherein said first category telephone line is a telephone line corresponding to a first telephone network; and said second category telephone line is a telephone line corresponding to a second telephone network (Pearce, column 7, lines 40-43).

- <Claim 47>

  The image communication apparatus of claim 46, wherein said first telephone network corresponds to an inside telephone network and said second telephone network corresponds to an outside telephone network (Pearce, column 7, lines 40-43).

- <Claim 48>

  The image communication apparatus according to Claim 38, wherein said first telephone network is an inside telephone network that is able to transmit and receive said image based on said first telephone number being said inside telephone number (Pearce, figure 1, item 20A) and said second telephone network is an outside telephone network that is able to transmit and receive said image based on said second telephone number being said outside telephone number (Pearce, figure 1, item 20B) and wherein said computer network is either of an intranet or the Internet that is able to transmit and receive said image based on said network address being an IP address (Kamiyama, figure 1, Internet Protocol Network).

- <Claim 49>

  The image communication apparatus according to Claim 38, wherein said number transmitting section transmits said input number through said computer network and said

address receiving section receives said network address through said computer network (Pearce, column 6, lines 25-38).

Since the combination of Kamiyama and Pearce discloses all of the above limitations, claims 29-49 are rejected.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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